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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/718,290	11/21/2000	Daniel C. Castle	10002934-1	2957

7590

01/02/2004

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Intellectual Property Administration
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EXAMINER

RAYYAN, SUSAN F

ART UNIT	PAPER NUMBER
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2177

DATE MAILED: 01/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/718,290

Applicant(s)

CASTLE, DANIEL C.

Examiner

Susan F. Rayyan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10,13-15,17-19,22-24,26-28,31-33,35-37,40-42 and 44-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10,13-15,17-19,22-24,26-28,31-33,35-37,40-42 and 44-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

1. Applicant's election without traverse of claims 10-49 in Paper No. 4 is acknowledged.
2. Claims 1-9 are withdrawn from further consideration (paper no. 4).
3. Claims 11-12, 16, 20-21, 25, 29-30, 34,38-39, and 43 have been canceled (paper no. 4).
4. Claims 10, 13-15,17-19,22-24,26-28,31-33,35-37,40-42 and 44-49 remain pending in the application.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 10, 17-19,26-28,35-37,44-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dasan (US 576,1662) and Hoyle (US 614,1010) in view of Ellis et al (Pub. No.: US 2003/0020744).**

As per independent claim 10,37 Dasan teaches:

"A document delivery system for delivery of documents to a reader via a network" at Summary;

"a knowledge module containing profile information, including at least reader

"profile information" at col.5, lines 59-64 and col. 6, line 61, bridging to, col.7, line 21, fig.

4;

“an edit module containing first content” at col. 8, lines 29-39;

“a transmission module for transmitting the first content”... “to a reader for display based upon the profile information” at col. 7, lines 52-52 and col. 8, lines 26-40;

“transmitting at least a portion of the reader profile information for display to the reader” at col. 8, lines 26-28 and fig.11.

Dasan does not explicitly teach “second content” however Hoyle does teach “second content” at col.16, lines 28-41 and fig. 1. Thus it would have been obvious to one ordinarily skilled in the art at the time of the invention to combine the cited references to target advertisements in response to normal user interaction (Hoyle: col.16, lines 28-29, Abstract).

Dasan and Hoyle do not explicitly teach “profile information includes one or more types of denied data” however Ellis does teach this limitation (illegal) at fig. 13E and p. 9, paragraph 94. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the cited references to customize the viewing experience (p.1, paragraph 8, line 4-5).

As per claim 17, 26,35,44 same as claim arguments above and Dasan teaches:

“wherein the transmission module further transmits an interface usable by the reader to modify the reader profile information” at fig. 8.

As per claim 18,27,36,45 same a claim arguments above and Dasan:

“wherein the interface is a universal resource locator for a page usable by the reader to modify the reader profile information” at fig.8.

As per independent claim 19 Dasan teaches:

“a method of delivering informational content to a reader” at Summary;

“receiving profile information, including at least reader profile information

identifying content preferences for the reader” at col.5, line 65, bridging to, col. 6, line10;

“receiving first content” at col. 6, lines 11-18;

“transmitting to a reader the first content” ... “based on the profile information, and at least a portion of the reader profile information” at col. 7, lines 52-54 and col. 8, lines 26-40.

Dasan does not explicitly teach “receiving second content” however Hoyle does teach this limitation at col. 16, lines 28-41 and fig. 1. Thus it would have been obvious to one ordinarily skilled in the art at the time of the invention to combine the cited references to target advertisements in response to normal user interaction (Hoyle: col.16, lines 28-29, Abstract).

Dasan and Hoyle do not explicitly teach “profile information includes one or more types of denied data” however Ellis does teach this limitation (illegal) at fig. 13E and p. 9, paragraph 94. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the cited references to customize the viewing experience (p.1, paragraph 8, line 4-5).

As per independent claim 28 Dasan teaches:

"a method of receiving content to read" at Summary;

"receiving a display of first content; at col. 6, lines 11-18;

"receiving a display of profile information, including at least reader profile information, related to the first or second content" at col. 7, lines 52-54 and col.8, lines 26-40.

Dasan does not explicitly teach "receiving a display of second content" however Hoyle does teach this limitation at col. 16, lines 28-41. Thus it would have been obvious to one ordinarily skilled in the art at the time of the invention to combine the cited references to target advertisements in response to normal user interaction (Hoyle: col. 16, lines 28-29, Abstract).

Dasan and Hoyle do not explicitly teach "profile information includes one or more types of denied data" however Ellis does teach this limitation (illegal) at fig. 13E and p. 9, paragraph 94. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the cited references to customize the viewing experience (p.1, paragraph 8, line 4-5).

As per claim 46 same as claim arguments above and Dasan:

"wherein said edit means is comprised of a computer" at figs. 1-4.

As per claim 47 same as claim arguments above and Dasan teaches:

"wherein said knowledge storage means is comprised of a computer" at figs. 1-4.

As per claim 48 same as claim arguments above and Dasan teaches:

"wherein said transmission means is comprised of a computer" at figs. 1-4.

As per claim 49 same as claim argument above and Dasan teaches:

"wherein said transmission means is comprised of a data network" at figs. 1-4.

7. Claims 13-14,22-23,31-32,40-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dasan (US 576,1662) and Hoyle (US 614,1010) and Ellis et al (Pub. No.: US 2003/0020744) in view of Guyot et al. (US 6,119,098)

As per claim 13-14,22-23,31-32,40-41 same as claim arguments above and Dasan, Hoyle and Ellis do not explicitly teach "wherein the profile information includes a advertiser profile information corresponding to the second content" and "wherein the advertiser profile information includes one or more types of information selected from the group consisting of: global advertiser information and specific advertiser profile information" however Guyot teaches this limitation at col. 3, line 66, bridging to col. 4, line 14. Thus it would have been obvious to one ordinarily skilled in the art at the time of the invention to combine the cited references to identify the advertisers that provide the advertisement to the subscribers (Guyot: col.3, line 66, bridging to, col.4, line 34).

8. Claims 15,24,33,42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dasan (US 576,1662) and Hoyle (US 614,1010) and Ellis et al (Pub. No.: US 2003/0020744) in view of Headerick et al. (US 6557006).

As per claim 15,24,33,42 same as claim arguments above and Dasan teaches "voluntary information" at fig.8. Dasan, Hoyle, and Ellis do not explicitly teach "wherein the reader profile information includes one or more types of information selected from the group consisting of: behavior profile information" however Headerick does teach voluntary profile information and behavior profile information at col.8, lines 21-27. Thus

it would have been obvious to one of ordinarily skilled in the art at the time of the invention to combine the cited references to track demographic information (Headerick: col.8, line 19).

Response to Arguments

9. Applicant's arguments with respect to claims 10, 13-15,17-19,22-24,26-28,31-33,35-37,40-42 and 44-49 have been considered but are moot in view of the new ground(s) of rejection.

With respect to claims 10,19,28 and 37 Applicant argues Dasan, Hoyle, Guyot and Headerick do not teach "reader profile information includes one or more types of denied data" however Ellis does teach this limitation (illegal) at fig. 13E and p. 9, paragraph 94. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the cited references to customize the viewing experience (p.1, paragraph 8, line 4-5).

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Rayyan whose telephone number is (703) 305-0311. The examiner can normally be reached M-F: 8am - 4:30pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on 703-305-9790. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for Official communications, (703) 746-7238 for After Final communications and (703) 746-7240 for Status inquiries and draft communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Susan Rayyan



December 15, 2003



GRETA ROBINSON
PRIMARY EXAMINER